



TITLE:

<Book Reviews>Nicole Constable. Born Out of Place: Migrant Mothers and the Politics of International Labor. Hong Kong: Hong Kong University Press, 2014, xvii+259p.

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CITATION:

Lopez, Mario I.. <Book Reviews>Nicole Constable. Born Out of Place: Migrant Mothers and the Politics of International Labor. Hong Kong: Hong Kong University Press, 2014, xvii+259p.. Southeast Asian Studies 2015, 4(2): 438-442

ISSUE DATE:

2015-08

URL:

<http://hdl.handle.net/2433/199704>

RIGHT:

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Chinese Transnationalism. London and New York: Routledge.

Siu, Lok C. D. 2005. *Memories of a Future Home: Diasporic Citizenship of Chinese in Panama*. Stanford: Stanford University Press.

Born Out of Place: Migrant Mothers and the Politics of International Labor

NICOLE CONSTABLE

Hong Kong: Hong Kong University Press, 2014, xvii+259p.

Scholars have theoretically couched late twentieth century and early twenty-first century human migration in terms of metaphors that invoke global fluidity, risk, uncertainty, and the dismantling of previous forms of social relations. Migrants, many of whom remain nameless, are often vilified, lambasted, and treated as second-class citizens along with their children. The label “migrant” often denotes persons who come from outside the body politic and it simultaneously provokes societies to demonize foreignness, associating it with contamination, risk, and anxiety. In Southeast Asia, both the Philippines and Indonesia, have intense histories of migration within the region (and beyond it) to cater to the need for flexible workers. Both nations have sent nurses, care workers, nannies, and domestic workers to Taiwan (Lan 2006), the U.S. (Rodriguez 2010), Europe, and other parts of the world where labor is required to fill gaps in the workforce. Nicole Constable’s book provides a timely addition to the literature on migrants workers living overseas. It offers a very welcome and sensitive ethnography based on her many years of fieldwork in Hong Kong (HK) complimenting other recent ethnographic works that have been carried out (Matthews 2011; Knowles and Harper 2009). It focuses on migrant workers’ everyday experiences and importantly, draws out not only the voices of migrant mothers and men, but also those of the children, an often-neglected group in migration literature.

The book focuses on three issues. Firstly, temporary workers to HK enter as workers (both in regards to their contracts and the obligations placed upon them by states, brokers, and other institutions) but they are never *only* workers. Secondly, legal frameworks, laws, and policies implemented to regulate, control, and manage migrants movement often fail in their aims. And thirdly migrants, especially those who are single mothers, enter into a *migratory cycle of atonement*, a “self-perpetuating, precarious pattern of migration that is often the only route to escape the shame that single motherhood brings to them and their families” (p. xiii). In effect, Constable questions the very heart of the system that controls migrant’s movement and aims to critique current policies in not just HK, but in other regions of the world where similar policies are in place.

Chapter one, “A very tiny problem,” presents the overall thesis of the book and takes a sensitive gendered approach toward the issue of migrant mothers in HK, their reasons to overstay and the implications of doing so. Predominately (but not exclusively) focusing on mothers who work in HK and give birth to children “overseas” as opposed to those who are “left behind,” Constable

locates some of their experiences in “zones of social abandonment” while reminding us of the plethora of distinctions that are used to categorize migrant workers. Modifying Giorgio Agamben’s notion of “bare life,” an effect of state power that strips life of any political significance and curtails it, Constable problematizes clear-cut distinctions to scrutinize the ambiguities of the position of migrants in HK. Chapter two, “Ethnography and everyday life” offers an overview of the book’s ethnographic approach interweaving both methodology and interviews with migrant women in HK, an approach that continues throughout the book. This is done by contextualizing her approach within two dominant streams in migration studies: one that looks at exploitation and abuse of migrant workers and another that focuses on migration as a resource (p. 23). Constable takes the approach of an engaged humanist (p. 24) with an open agenda to contribute to discussions on social justice for migrant workers. She also emphasizes that she was not a “detached interviewer” (p. 55); as a feminist-ethnographer-activist she juxtaposes the creative ways in which migrants work within and utilize the structures that oppress them as well as the risks they face such as giving birth, illegal abortions, rape, sex work, and domestic violence.

Both chapters three and four ethnographically engage with the experiences of male and female migrants. Through a combined reading, the strengths of these two chapters present a complicated ecology of migrant life and preoccupations in HK. An underlying current in these chapters is a critique of those policies and employment practices in both sending and receiving nations which promote overstaying and illegality, with brokers and state agencies regulating, restricting, or corraling the movement of migrant workers as an expendable and cheaply employable underclass. These structural state sponsored practices weigh down on everyday life choices and the strategies that migrants employ when forced to commit illegality.¹⁾ What these two chapters underscore is how residence in HK is structured by the outsourcing of domesticity as a rising Chinese middle-class relies on migrants for the gendered roles of caring for children, elderly, and household chores. Yet simultaneously, we are reminded of the unpredictable consequences of globalization that brings together people from different regions with their histories and trajectories tied to the city’s colonial past. Interestingly, Constable also draws our attention to men’s subjectivities and discusses “trading up”; how they move from relationships with foreign domestic workers (FDWs) to those with HK residents who ultimately offer them the opportunity to legally legitimize residency through marriage. This extends our understanding of Constable’s previous work on upward female marriage mobility (global hypergamy) and asks for more research to be done on how men strategically “marry up” to legitimize their residence: negotiating their way from precarity to privilege.

Chapter five deals with the intimate politics of sex and babies. HK functions as a liminal space where social rules and expectations that are familiar to FDWs in their home countries become

1) Since 1987, the new conditions of stay, known as the “two-week rule” mean that on termination of a contract, domestic workers have to return home if they have not found alternative employment. This inevitability forces some workers to overstay therefore become illegal migrants.

restructured by their needs, those of their employers, their partners, and the legal structures that they confront. It offers penetrating insights into how women's sense of agency changes as they negotiate the ways in which their morals are challenged overseas; how sexual norms are relaxed and enforced (in particular by religious teachings); how reputation, ideas of chastity, condom use, and abortions are understood and experienced; and how these are policed. Maternity provisions are legally in place for migrant workers yet the whole system is geared toward managing and disciplining migrant workers through pregnancy tests and contractual agreements to not get pregnant with the constant fear of dismissal (p. 143). Constable drives home the pressures that are placed on women from the conflicting messages they receive both in HK and from their countries of origin. The very conditions they are expected to obey literally inscribe themselves into everyday practices resulting in women strategically creating viable solutions under conditions of duress. The concluding section of chapter five is vividly painful as Constable shares a personal story of one Indonesian migrant worker who miscarries on a toilet and is taken to hospital. Her home was treated as a "crime scene." A doctor insists it is an "abortion" until blood and urine tests are taken to confirm no abortive drugs were used; an ambulance attendant (male) consoles her, saying she will have more children as she is "beautiful" (p. 153). Agambem's notion of bare life is driven home when some migrants who work in HK are inscribed by a logic of control over their bodies and the attitudes of others towards them as second class temporary laborers.

Chapter six deals with citizenship, the system of visas and the legal means by which female migrants pursue claims to right of abode whereas chapter seven homes in on the precarious conditions of asylum seekers and over stayers. Drawing out the implications of the ways in which the law can regulate stay in HK, Constable highlights the complexity of how the law is applied to FDWs. Migrants can normalize their statuses through marriage to a HK resident however, this option is not available to the majority. Many overstay and apply for asylum or file torture claims. As such migrants' status varies from the most to least privileged in terms of resident status (p. 157). What Constable does make clear is that the law is wielded as a tool of the state to enforce, regulate, and patrol the status of migrant workers. Workers are perceived as contractually based short-term laborers who are, at every legal turn, excluded or dissuaded from becoming "legitimized" HK long-term residents. This dissuasion is also bolstered by the state determining the very constitution of the family as an individual unit and then as a part of the broader body politic in the territory.²⁾ Although there have been challenges at the highest level to legitimize the status of FDWs with some successes, the general consensus has been to legally justify exclusion and draw lines over who has the right to be part of the body politic.³⁾ Chapter seven focuses on how migrants pursue

2) Exclusion and dissuasion also extends to Mainland Chinese who are also discriminated against on a different level.

3) See for example the cases of Evangeline Banao Vallejos and Daniel and Irene Raboy Domingo vs Commissioner of Registration to secure right of abode (see Constable pp. 173–178).

stay in HK through refugee and torture claims as asylum seekers. In particular, the chapter shows how making claims operates as a way to buy time as a repertoire of practices to extend stay in HK. By focusing on the range of choices and tactics—both legal and economic—used to extend time, this chapter illustrates “the spectrum of skill” (p. 193) that migrants have at their disposal. These include applying their knowledge of the law to pursue paternity claims (and the possible of entitlement to residency and child maintenance) (p. 212), ways of making/saving money during periods where claims are being processed, or by overstaying.

The final chapter comes back to the beginning to pull together the threads that link to the “migratory cycle of atonement,” following up on women who had returned to their respective countries. It offers by way of conclusion a critique of how migrant worker’s lives are tied to laws, policies, enactments, and provisions that curtail their freedoms and opportunities. These policies are in HK’s case especially harsh. Upward class mobility in HK—and in other parts of the region—has meant that many aspects of “traditional” labor are outsourced. Yet, it is not just migrants but their children and families back home who bear the brunt of the modern exclusionary and regulatory force of discrimination. This compels migrants to use their wits, skills, and tactics in an every day modern battlefield that is concealed at the heart of modern day migration.

HK is faced with the dilemma of a low fertility rate and anticipated labor shortages yet outsiders, particular those from surrounding Asian countries, remain outsiders. Constable has shown an ethnographer’s commitment and passion to draw out migrant’s precarity and the strategies they employ in tackling a system stacked up against them. However, there is a minor concern. One is a lack of focus on migrant’s relationship to their religious traditions. The book primarily focuses on Filipinas and Indonesian migrant workers. Both Islam and Roman Catholicism espouse different levels of religious education from the family through to religious institutions. This book would have merited more from threading in the different ways both Islam and Roman Catholicism are perceived at an everyday level in migrant’s lives. How do ideas of piousness and chastity, sexual religious identities, and attitudes towards contraception and birth outside of wedlock change overseas? What pressure do religious institutions exert on migrants and how do their internal understandings play out in their everyday life? In what ways does a “modern” and “cosmopolitan” HK free women or reorient their religious selves? Bearing down on these questions would have fleshed out the undercurrent that flows through the chapters. Aside from this minor weakness, the complex narratives along with discerning analysis mean that scholars will benefit from this detailed case study to see how states manage the fault lines of twenty-first century migration and how migrants live out their lives along them.

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